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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/633,656	08/05/2003	Hubertus Marie Jozeph Mathieu Boesten	0142-0420P	5458
2292 7590 03/05/2008 BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			EXAMINER KAU, STEVEN Y	
			ART UNIT 2625	PAPER NUMBER
			NOTIFICATION DATE 03/05/2008	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

**Advisory Action  
Before the Filing of an Appeal Brief**

Application No.

10/633,656

Applicant(s)

BOESTEN, HUBERTUS MARIE  
JOSEPH MATHIEU

Examiner

STEVEN KAU

Art Unit

2625

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

THE REPLY FILED 08 February 2008 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.  
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, ~~which is later~~. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purpose of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final ~~action~~; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**NOTICE OF APPEAL**

2. ☐ The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

**AMENDMENTS**

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because  
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);  
(b) ☐ They raise the issue of new matter (see NOTE below);  
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL -324).  
5. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.  
6. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  
The status of the claim(s) is (or will be) as follows:  
Claim(s) allowed: \_\_\_\_\_.  
Claim(s) objected to: \_\_\_\_\_.  
Claim(s) rejected: 1-19.  
Claim(s) withdrawn from consideration: \_\_\_\_\_.

**AFFIDAVIT OR OTHER EVIDENCE**

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).  
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

**REQUEST FOR RECONSIDERATION/OTHER**

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  
See Continuation Sheet.  
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). \_\_\_\_\_.  
13. ☐ Other: \_\_\_\_\_.

GABRIEL I. GARCIA  
PRIMARY EXAMINER

*Gabriel Garcia*

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Continuation of 11. does NOT place the application in condition for allowance because:

Applicant's arguments filed February 8, 2008 have been fully considered but they are not persuasive. Specifically in response to applicant's argument that the references fail to show certain features of applicant's invention, in particular, (I) "However, contrary to the Official Action, (1) Dalai does not disclose or suggest Applicant's claimed "selection of a halftone screen among a plurality of available halftone screens." Furthermore, contrary to the Official Action, (2). Dalai does not disclose or suggest Applicant's claimed "said lists being consistent with respect to the attribution of a halftone screen to a colorant within a subset over said portion of the colour space", (Par. 3 of Page 4; emphasis added by the examiner); (II). "However, contrary to the Official Action, the quantization with a centroid by Morag does not relate to a coverage fraction. Furthermore, like Dalai, Morag does not disclose or suggest "a selection of a halftone screen among a plurality of available halftone screens and a coverage fraction" (Last Par of Page 7); and (III). "As acknowledged by the Official Action, Dalai and Morag each fail to disclose or suggest calculating for each of said subsets an associated graininess value. To cure this deficiency, the Official Action applies Ishimoto. However, the Official Action provides no citation for Applicant's claimed "selecting one of said lists of subsets of colorants on the basis of a total graininess calculated for said lists." That is while Ishimoto describes evaluating graininess, the evaluation value calculated by Ishimoto is not used to select one of plural lists of subsets of colorants on the basis of a total graininess calculated for said lists" (Last par of Page 11 through Par 1 of Page 12).

With respect to Claim 1, recites, "A method of rendering colours in a printing system using a set of N colorants, including, for each colour to be rendered, a selection of a subset of M colorants whereby M and for each colorant of said subset, a selection of a halftone screen among a plurality of available halftone screens and a coverage fraction, the method comprising steps: defining discrete colour points in at least a portion of a colour space; determining for the defined discrete colour points, different subsets of colorants and associated coverage fractions thereof, rendering each of said colour points, and calculating for each of said subsets an associated graininess value; determining lists of colorant subsets rendering the defined discrete colour points, said lists being consistent with respect to the attribution of a halftone screen to a colorant within a subset over said portion of the colour space; and selecting one of said lists of subsets of colorants on the basis of a total graininess calculated for said lists."

In Re to the applicant's arguments (I), (1). Dalai et al '891 disclose Applicant's claimed "selection of a halftone screen (e.g. substituting cyan screen) among a plurality of available halftone screens (in either case, four halftone screens need)", (col 7, lines 19 - 35). (2). Dalai et al '891 discloses Applicant's claimed "said lists (e.g. CMY colorants) being consistent with respect to the attribution (e.g. -15 degree of screen angle) of a halftone screen to a colorant (e.g. cyan) within a subset over said portion of the colour space (e.g. CYM color space)" (col 7, line 60 through col 8, line 9).

In Re to applicant's arguments (II), Dalai et al '891 disclose halftone screens and the attribution such degrees of screen angles, and substituting (selecting) cyan halftone screen amount the four screens (col 7, lines 29 -35). In deed, coverage fraction is a property inherence of screen angles. For instance, screen at -15 degree and a screen at 0 degree must have different coverage factors (col 8, lines 1-9).

In Re to applicant's argument (III), Ishimoto teaches "Applicant's claimed "selecting one of said lists of subsets of colorants (e.g. ink set of YMC) on the basis of a total graininess calculated for said lists (Pars. 0105 through 0121, Ishimoto)." By combining Ishimoto's teaching of "selecting one of said lists of subsets of colorants on the basis of a total graininess calculated for said lists" with Dalai and Morag to enhance and to obtain high image quality.

It is noted that the features upon which applicant relies (i.e., examples of Fig. 3 and 4, Par. 2 of Page 5, and Pars. 1 & 2 of Page 8, Remark/Argument, 11/8/2007) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).



S. Kau  
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February 27, 2008